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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	DISPOSITIVE MOTIONS DEADLINE;
v.)	ORDER
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	
SECURITY,)	Trial: September 25, 2007
Defendant.)	Judge: Helen Gillmor
_____)	

STIPULATION TO CONTINUE
DISPOSITIVE MOTIONS DEADLINE

The parties to this action hereby agree to a two-week continuance of the dispositive motions deadline from April 25, 2007 to May 14, 2007. The ground for this continuance is that the parties are making arrangements for defendant to produce to plaintiff's counsel the testing materials related to plaintiff's termination. On January 22, 2007, the Transportation Security Administration (TSA) rescinded the SSI Order that denied plaintiff access to the testing materials. This recission was

based on Congress' had recent passage of the Department of Homeland Security Appropriations Act, 2007, 109-295, which would allow disclosure to plaintiff's counsel of the testing material sought by plaintiff, subject to certain restrictions, and subject to counsel passing a background check. TSA is working out the details of the procedures, and expects to have them finalized shortly.

Pursuant to this court's Order of September 18, 2006, the testing materials may be relevant to issues that defendant will raise in a renewal of its motion for summary judgment. Accordingly, the parties agree that a short continuance of the dispositive motions deadline is appropriate.

DATED: May 9, 2007, at Honolulu, Hawaii.

/s/ Daphne E. Barbee

DAPHNE E. BARBEE
Attorney for Plaintiff

EDWARD H. KUBO, JR.
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/s/ Thomas A. Helper

By

THOMAS A. HELPER
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Attorneys for
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APPROVED AND SO ORDERED:

DATED: Honolulu, Hawaii, May 10, 2007.



/s/ Helen Gillmor
Chief United States District Judge

Raymond Ware v. Michael Chertoff; Civil No. 04-00671 HG LEK
STIPULATION TO CONTINUE DISPOSITIVE MOTIONS DEADLINE; ORDER